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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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<b>2001 Senate Bill 477</b>	<b>Senate Substitute Amendment 1</b>
Memo published: March 11, 2002	
Contact: Don Dyke, Senior Staff Attorney (266-0292)	

Changes made by the substitute amendment to the original bill are described below.

### **SERVICE AS ELECTION INSPECTOR BY MINORS WHO ARE ENROLLED IN HIGH SCHOOL**

The substitute amendment eliminates the authority of a 15-year old who is enrolled in grades 9 to 12 of a public or private school to serve as an election inspector. According to the Department of Workforce Development, 15-year olds are prohibited from working more than three hours per day by the Federal Wage and Hour Act. Addressing related matters, the substitute amendment expressly exempts minors who serve as an election inspector from: (1) the state prohibition on working during school hours; (2) state limits on hours worked by minors; and (3) state work permit requirements for minors.

The substitute amendment also prohibits a minor who is serving as an election inspector from challenging an elector's vote.

### **RESIDENCY OF ELECTION OFFICIALS**

The substitute amendment deletes the provision of the bill that an election inspector need only be a qualified elector of the state. It restores current law in this regard and clarifies that when an inspector works at a polling place that serves more than one ward, the official must be an elector of one of the wards served by the polling place, and if a municipality is not divided into wards, the official must reside in the municipality.

### **RECALL ELECTIONS**

The substitute amendment deletes provisions in the bill allowing a municipal clerk or school district clerk to call a special election, restoring current law in this regard, which requires the municipal governing body or the school board to call the special election.

The substitute amendment deletes the provision in the bill that prohibits calling a recall election for an office to be filled at the spring election later than February 1 in the year of that election.

Senate Substitute Amendment 1 was recommended for adoption by the Senate Committee on Universities, Housing, and Government Operations by a vote of Ayes, 7; Noes, 0.

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